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Co-Lead Class Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

All Actions

Master Docket No. 11-CV-2509-LHK

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO SEAL PURSUANT TO CIVIL
LOCAL RULES 7-11 AND 79-5(d) and (e)**

Judge: Honorable Lucy H. Koh

1 Pursuant to Civil Local Rule 7-11 and 79-5(d) and (e), Plaintiffs respectfully request that
 2 this Court authorize the filing under seal of the following documents:

3 1. Exhibits 1-8, 182 and 2924-2928 to the Declaration of Lisa J. Cisneros In Support
 4 of Plaintiffs' Memorandum of Law In Support of Application of the Per Se
 5 Standard.

6 Plaintiffs request that the above noted documents be filed under seal because they are or
 7 refer to documents or information that Defendants have designated "CONFIDENTIAL" or
 8 "CONFIDENTIAL – ATTORNEYS' EYES ONLY" under the Stipulated Protective Order
 9 (Modified by the Court) (Dkt. No. 107). None of the information at issue was designated as
 10 confidential by Plaintiffs. Plaintiffs reserve the right to challenge any "CONFIDENTIAL" or
 11 "CONFIDENTIAL – ATTORNEYS' EYES ONLY" designation under the Stipulated Protective
 12 Order (Modified by the Court) (Dkt. No. 107) as well as the sealability of these documents under
 13 Civil Local Rule 79-5.

14 Rule 26(c) of the Federal Rules of Civil Procedure provides discretion for a trial court to
 15 permit sealing of court documents. Fed. R. Civ. P. 26(c)(1). In the context of a non-dispositive
 16 motion, the Ninth Circuit allows an exception to the presumption of access to judicial records for
 17 "good cause." *Pintos v. Pacific Creditors Assoc.*, 565 F.3d 1106, 1115 (9th Cir. 2009) ("In light of
 18 the weaker public interest in nondispositive materials, we apply the 'good cause' standard when
 19 parties wish to keep them under seal."); *cf. Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172,
 20 1179 (9th Cir. 2006). Under Rule 26(c)(1), "The court may, for good cause, issue an order to protect
 21 a party or person from annoyance, embarrassment, oppression, or undue burden or expense."

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1 Dated: April 10, 2014

Respectfully Submitted,

2 By: /s/ Lisa J. Cisneros
Lisa J. Cisneros

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